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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 DAVID ANGEL SIFUENTES, III,

CASE NO. C21-5613JLR

11 Plaintiff,

ORDER

12 v.

13 NAUTILUS, INC.,

14 Defendant.

15 This matter comes before the court on *pro se* Plaintiff David Angel Sifuentes, III's
16 motion requesting the United States Marshals Service to serve the summons and second
17 amended complaint on Defendant Nautilus, Inc. ("Nautilus"). (Mot. (Dkt. # 21).) Mr.
18 Sifuentes is proceeding *in forma pauperis* ("IFP"). (Order Granting IFP Status (Dkt. #
19 3).) Upon an IFP plaintiff's request, "the officers of the court shall issue and serve all
20 process." 28 U.S.C. § 1915(d). Federal Rule of Civil Procedure 4(c)(3) further provides,
21 "[a]t the plaintiff's request the court may order that service be made by a United States
22 marshal or deputy marshal or by a person specially appointed by the court. The court

1 must so order if the plaintiff is authorized to proceed in forma pauperis" Fed. R.
2 Civ. P. 4(c)(3); *see also Boudette v. Barnette*, 923 F.2d 754, 757 (9th Cir. 1991) ("IFP
3 plaintiff must request service of the summons and complaint by court officers before the
4 officers will be responsible for effecting such service.").

5 Pursuant to Rule 4(c)(3), the court GRANTS Mr. Sifuentes's motion (Dkt. # 21)
6 and ORDERS:

- 7 1) The Clerk to provide a copy of the second amended complaint (Dkt. # 8), the
8 exhibit to the second amended complaint (Dkt. # 8-1), Mr. Sifuentes's
9 declaration regarding the second amended complaint (Dkt. # 9), and the
10 summons (Dkt. # 13), to the United States marshal or deputy marshal within
11 five (5) days of the date of this order; and
- 12 2) The United States marshal or deputy marshal to serve Nautilus with a copy of
13 the applicable summons and the complaint within 30 days of the date of this
14 order.

15 Dated this 21st day of December, 2021.

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18 JAMES L. ROBART
United States District Judge
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